



U.S. Department of Justice

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July 23, 2019

VIA ECF

The Honorable Jesse M. Furman
United States District Judge
United States District Court for the
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, New York 10007

Re: *State of New York v. U.S. Dep't of Commerce*, No. 18-cv-2921 (JMF),
N.Y. Immigration Coalition v. U.S. Dep't of Commerce, No. 18-cv-5025 (JMF)

Dear Judge Furman:

In accordance with Federal Rule of Civil Procedure 6(b)(1)(B) and paragraphs 1(A), (E) and 3(A) of Your Honor's Individual Rules and Practices in Civil Cases, Defendants write on behalf of all parties to request that the Court extend: (i) the deadline under the Court's June 5, 2019, Scheduling Order (ECF No. 605) for Defendants to file their opposition to the NYIC Plaintiffs' Motion for Sanctions (ECF No. 635) until August 6, 2019; (ii) the deadline for the NYIC Plaintiffs to file their reply until August 13, 2019; and (iii) the deadline under the Court's July 16, 2019, Order (ECF No. 634) for Plaintiffs to file any motion for attorney's fees until August 14, 2019. Good cause supports the requested extensions as follows.

The Court's June 5 Scheduling Order initially directed that the NYIC Plaintiffs file their motion for sanctions by July 12, 2019, that Defendants file their opposition by July 26, 2019, and that Plaintiffs file their reply by August 2, 2019. Thereafter, the Court's order of July 12, 2019 (ECF No. 630) extended the deadline for Plaintiffs' sanctions motion to July 16, 2019; no corresponding extension of time was requested (or granted) to file either Defendant's opposition or Plaintiffs' reply. In addition, the number and breadth of issues raised by Plaintiffs' motion substantially exceed the scope of the issues presented in Plaintiffs' earlier motion for an order to show cause (ECF No. 587), and therefore Defendants require more time than originally

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anticipated to prepare an appropriate response. An extension from July 26 to August 6, 2019, to file Defendants' opposition will restore the four days' time lost due to the deferred filing of Plaintiffs' motion, and provide Defendants an additional week's time thereafter to prepare and file their opposition. An extension until August 13, 2019, will provide Plaintiffs the original time contemplated under the Court's June 5 Scheduling Order to file their reply. No party opposes these extensions of time.

In terms of the deadline to file an attorneys' fees motion, Plaintiffs seek an extension from July 30, 2019 until August 14, 2019, to allow for sufficient time to discuss the potential for settlement of fees and costs with Defendants without Court involvement. Given the extensive number of entities and individuals involved with this litigation and the amount of resources devoted, this extension will allow Plaintiffs to properly assemble the relevant records and both parties time to engage in negotiations with full knowledge of the relevant costs and fees at issue.

These are the first requests for extensions of these deadlines. The requested extensions will not affect any other date set by the Court. There are currently no conferences scheduled in these matters.

For these reasons, the parties respectfully request: (i) that the deadline for Defendants to file their opposition to the NYIC Plaintiffs' Motion for Sanctions be extended until August 6, 2019; (ii) that the deadline for the NYIC Plaintiffs to file their reply be extended to August 13, 2019; and (iii) that Plaintiffs' deadline to file any motion for attorney's fees be extended to August 14, 2019.

Respectfully submitted on behalf of all parties
by permission,

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